

SUBCOMMITTEE NO. 4

Agenda

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1:30 pm
Room 2040

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Departments Proposed for Consent / Vote-Only

0280 COMMISSION ON JUDICIAL PERFORMANCE

The Commission on Judicial Performance is the independent state agency responsible for investigating complaints of judicial misconduct and judicial incapacity and for disciplining judges pursuant to article VI, section 18 of the California Constitution. Its jurisdiction includes all active judges and justices of California's superior courts, Courts of Appeal, and Supreme Court, and former judges for conduct prior to retirement or resignation. The Commission also shares authority with local courts for the oversight of court commissioners and referees. In addition to disciplinary functions, the Commission is responsible for handling judges' application for disability retirement.

The Commission is composed of eleven members: three judges appointed by the Supreme Court, two attorneys appointed by the Governor, and six lay citizens, two appointed by the Governor, two appointed by the Senate Rules Committee and two appointed by the Speaker of the Assembly. Members are appointed to four-year terms and may serve two terms, Commission members do not receive a salary.

Budget Request. The budget proposes total expenditures of \$4.1 million from the General Fund, an increase of \$13,000, or 0.3 percent from current year expenditures. The commission has a total of 27 positions.

0390 JUDGES' RETIREMENT SYSTEM

The Judges' Retirement System (JRS I) provides retirement benefit funding for judges of the Supreme Court, Courts of Appeal, Superior and Municipal Courts. Retirement benefits are based on age, years of service, compensation of active judges, and eligibility as determined by specific sections of the Judge's Retirement Law. The JRS I is funded by the Judge's Retirement Fund, which receives revenue from the General Fund and certain filing fees, as well as employee contributions equal to 8 percent of the judges' salaries.

Chapter 879 of the Statutes of 1994 established the Judges' Retirement System II (JRS II). Unlike its predecessor, JRS II is designed to be fully funded from employer and employee contributions on a prospective basis. The major differences in JRS II include increased retirement age and a cap of 3 percent annually for COLAs for retirement benefits. All judges elevated to the bench on or after November 9, 1994, are required to participate in JRS II. There are currently 1,610 authorized judges and justices in the State of California. The majority of these judges participate in the JRS I plan.

Budget Request. The budget proposes total expenditures of \$278.2 million for the Judges' Retirement System. The DOF notes that the estimated expenditures are consistent with actual expenditures and that no deficiency is anticipated for the current year for this item.

8550 CALIFORNIA HORSE RACING BOARD

The seven-member California Horse Racing Board (CHRB) supervises all race meetings in the state where pari-mutuel wagering is conducted. The purpose of the CHRB is to regulate pari-mutuel wagering for the protection of the betting public, to promote the horse racing and breeding industries, and to maximize State of California tax revenues. The state's revenue from horseracing is principally derived from fees based upon a percentage of the pari-mutuel wagering pools, breakage (the odd cents not paid to winning ticket holders), and unclaimed tickets. Additional revenue is derived from licenses issued to horse owners, trainers, jockeys, grooms and others, and from fines.

Budget Request: The budget proposes \$8.7 million from special funds, an increase of \$80,000 or less than 0.9 percent from the estimated current year expenditures.

8690 SEISMIC SAFETY COMMISSION

The Seismic Safety Commission (SSC) was established to improve earthquake preparedness and safety in California. Specifically, the commission is responsible for providing a consistent framework for earthquake-related programs and coordinating the administration of these programs throughout state government. The 17-member commission performs policy studies, reviews programs, investigates earthquake incidents, and conducts hearings on earthquake safety. The commission advises the Legislature and the Governor on legislative proposals, the state budget, and grant proposals related to earthquake safety.

Budget Request: The budget proposes total expenditures of \$1.1 million (\$1 million from the Insurance Fund and \$75,000 in reimbursements) for 6.8 positions at the SSC. This amount is an increase of \$8,000, or 0.7 percent from estimated current-year expenditures. In 2003-04, the Legislature shifted funding for the SSC from the General Fund to the Insurance Fund.

Staff Recommendation on Proposed Consent / Vote-Only Agencies. No issues have been raised with these agencies. Staff recommends approval as budgeted for the proposed consent / vote-only agencies.

Action on the consent / vote-only agencies.

Departments Budget Proposed for Discussion

0250 Judicial Branch

The Governor's budget combines the Judicial and Trial Court Funding budgets into one budget for the Judicial Branch. The budget proposes a total of \$3 billion (\$1.8 billion General Fund and \$1.3 billion other funds) for the Judicial Branch.

Of the total amount, the budget proposes expenditures of \$373.5 million (\$308.9 million General Fund) for items related to the state judiciary. The state judiciary items include the Supreme Court (\$40.7 million), the Courts of Appeal (\$178.3 million), the Judicial Council – which includes the Administrative Office of the Courts (AOC) (\$110.5 million), the Judicial Branch Facility Program (\$32.6 million), and the California Habeas Corpus Resource Center (\$11.4 million). The proposed amount for the state judiciary is a decrease of \$43 million, or 10.3 percent, from estimated expenditures in the current year. The reduction is due primarily to the transfer of \$64.1 million for local assistance grants that were previously funded in the Judicial Council item, but are now funded in the Trial Court Funding item. Total authorized positions for the state judiciary entities would increase by 100 positions to 1,851.9 positions. These new positions are primarily related to a proposal to have the AOC provide centralized administrative services support such as accounting and human resources for the local trial courts.

The proposed total budget for the Trial Court Funding item is \$2.7 billion (\$1.5 billion General Fund and \$1.2 billion other funds). This amount is an increase of \$220.4 million, or 9 percent, from anticipated expenditures in the current year. Similar to above, much of the increase in this program is due to the transfer of \$64.1 million in local assistance grants that were formerly displayed in the Judicial Council program.

Judicial Branch – Program Requirements					
Program	<i>Expenditures (dollars in thousands)</i>				<i>Percent Change</i>
	2003-04	2004-05	2005-06	Change	
Supreme Court	\$37,671	\$40,279	\$40,743	\$464	1.2%
Courts of Appeal	160,659	176,423	178,295	\$1,872	1.1%
Judicial Council	158,263	194,241	110,468	-\$83,773	-43.1%
Judicial Branch Facility Program	-	0	32,596	32,596	N/A
Habeas Corpus Resource Center	9,925	11,133	11,425	\$292	2.6%
Unallocated Reduction	-	-5,500	-	\$5,500	-100.0%
<i>Subtotal, Judiciary</i>	<i>\$366,518</i>	<i>\$416,576</i>	<i>\$373,527</i>	<i>-\$43,049</i>	<i>-10.3%</i>
Support for the Operations of Trial Courts	\$1,889,886	\$2,117,558	\$2,269,111	\$151,553	7.2%
Salaries of Superior Court Judges	223,757	232,991	233,530	539	0.2%
Assigned Judges	17,269	19,254	20,254	\$1,000	5.2%
Court Interpreters	67,534	67,735	70,986	\$3,251	4.8%
Grants	-	-	64,069	64,069	N/A
<i>Subtotal, State Trial Court Funding</i>	<i>\$2,198,446</i>	<i>\$2,437,538</i>	<i>\$2,657,950</i>	<i>\$220,412</i>	<i>9.0%</i>
Totals, Programs	\$2,564,964	\$2,854,114	\$3,031,477	\$177,363	6.2%
Authorized Positions	1,465.6	1,751.6	1,851.9	100.3	5.7%

Judicial Branch Budget Changes Proposed for Consent / Vote Only

1. Capital Central Staff. This request proposes \$408,000 from the Appellate Court Trust Fund and 3 positions (2 attorney positions and 1 clerk position). The additional positions would expand the number of positions assigned to the Capital Central Staff in order to support the court in adjudication of death penalty appeals cases.

Background: The base budget includes five Capital Central Staff Attorney positions. Currently, there are 134 fully briefed cases awaiting action by the court. 56, or approximately 41%, of the fully briefed cases are death penalty cases. Each year between 2001—2004 an average of 18 death penalty cases have been argued before the court. At its current pace, it will take 3 years for the court to deal with the currently pending cases.

2. Mediation of Civil Appeals. This request proposes an increase of \$424,000 (\$252,000 in one-time costs) and 2 positions from the Appellate Court Trust Fund to develop and administer a mediation program for civil appeals.

Background: Currently, there is no settlement or mediation program at the Third District Court of Appeal. Other courts of appeal have initiated settlement or mediation programs that have prompted parties to settle appellate cases prior to preparation of the record, resulting in substantial savings to the parties and allowing the courts of appeal to redirect resources to the disposition of other pending appeals. The settlement conference program would be based on the pilot program in the First Appellate District Court of Appeal.

3. Judicial Branch Fiscal Accountability and Operational Oversight. This request proposes an increase of \$144,000 in reimbursement authority and one internal auditor position to continue implementation of the statewide audit program to strengthen financial recordkeeping and operational controls of the trial courts.

Background: In fiscal year 2001-02, an Internal Audit Unit was established with 16 auditors when fully staffed. It was estimated that the Unit would average 12 trial court audits a year in addition to its other responsibilities including the Supreme Court, courts of appeal, and the AOC. The AOC believes that the original analysis was extremely optimistic in terms of the annual number of projects (audits, reviews, and investigations), and didn't take into account the size of some of the very large courts.

4. Paternity Judgments. This request proposes an increase of \$146,000 in the current year and \$292,000 in the budget year in reimbursement authority for the implementation of Chapter 849, Statutes of 2004 (AB 252). Reimbursement funding to the Judicial Council will be provided by the Department of Child Support Services (DCSS) through an interagency agreement. Chapter 849 mandates DCSS to implement new procedures for individuals to challenge a judgment of paternity on the basis of genetic testing when the genetic test shows that the previously established father is not the biological father.

5. Offender Eligibility for Traffic Violator School. This request proposes a one-time appropriation from the Motor Vehicle Account to implement requirements of Chapter 952, Statutes of 2004 (AB 3049). Chapter 952 prohibits courts from utilizing traffic violator schools in lieu of adjudicating a traffic offense if the violator was issued a notice to appear for a serious traffic violation that occurred in a commercial vehicle or for drivers processing a commercial driver's license. Implementation will result in one-time computer programming and employee training costs to the courts. This proposal would allow California to conform with federal laws on this issue.

6. Increased Trial Court Costs. This request proposes an increase of \$92.6 million to address increases in mandatory trial court costs for employee salaries, benefits, and retirement, and for court security and county services. This amount is intended to fund actual court operational cost increases incurred in the current and budget years. The current year amount for this request was \$88.4 million. The requested \$92.6 million represents the annualization of the current year amount. The AOC reports that for the budget year, \$39 million will be allocated for increased retirement costs, \$3.7 million for pay parity due to court unification, \$37.2 million for discretionary costs including costs of salary and benefit increases, \$7.9 million for increased security costs, and \$4.9 million for increased county charges.

7. Trial Court Administrative Services Support. This request proposes \$13.1 million in reimbursements from the trial courts and 91.5 positions for the continuation and expansion of various administrative and information technology services to support the trial courts. This funding represents full-year funding for staffing that was part of a January section letter.

The administrative services funded by this increase include:

- Staffing for the implementation and support of standardized fiscal processes for all trial courts, including a statewide, centralized treasury function and Court Accounting and Reporting System (CARS).
- Staffing for design, development, and implementation of a statewide Court Human Resources Information System (CHRIS).
- Staffing to provide oversight for the development, implementation, and support for a statewide California Case Management System (CCMS).
- Staffing to provide oversight and transition coordination for a centralized Technology Center.
- Staffing to form a Regional Office Assistance Group to provide legal advice and assistance to the courts.
- Staffing to implement statewide enhanced collections of fines and fees.

The AOC reports that the roll out of these services will occur over the next few years. The AOC currently estimates that the costs for these support services will increase to \$23.8 million in 2008-09 as the program expands to include additional courts and services.

8. Grand Jury Proceedings Mandate. In June 2002, the Commission on State Mandates (CSM) determined that the statutory changes related to grand juries constitute state-reimbursable mandates and estimated the statewide cost of these mandates to be \$12.6 million (for 1997-98 through 2004-05). This amount includes county costs for such expenses as (1) providing training to grand juries, (2) providing more extensive comments to grand juries in response to its findings, and (3) providing a meeting room and support for the grand juries.

The Governor's budget proposes to suspend the mandates and includes no funding for prior-year claims.

Background: The suspended mandates are described below.

- Chapter 1170, Statutes of 1996 (SB 1457, Kopp), authorized the grand jury to request the local entity to appear before it to discuss the findings of its report. It also required the local entity to provide more extensive comments on the findings of the grand jury report. For example, it required the responding entity to indicate if it was in agreement (fully or partially) with the findings of the grand jury, and whether any of its recommendations had been adopted.
- Chapter 43, Statutes of 1997 (AB 829, Thomson), required the court, in consultation with the county counsel and the district attorney to ensure that grand juries receive training that at a minimum addresses report writing, interviews, and the scope of the grand jury's responsibility and authority.
- Chapter 230, Statutes of 1998 (AB 1907, Woods), requires the county clerk to transmit a copy of the grand jury report, and any local entity response to the State Archivist.

Staff Recommendation. Staff recommends approval of these consent / vote-only issues.

Action.

Judicial Branch Budget Items Proposed for Discussion

1. Cost of Forensic Evaluations.

This request proposes an increase of \$5.5 million through an increase in the county obligations associated with the Maintenance of Effort payments. The augmentation would address unanticipated cost increases to the trial courts for various forensic evaluations, as specified in a recent California State Attorney General's opinion regarding whether the counties or the state are responsible for these costs.

The AG's opinion concluded that the costs for five out of seven categories of forensic evaluations are court costs. The AOC indicates that many counties have continued to pay for the costs of these forensic evaluations, in whole or part. The AG's opinion clarifies the issue of who pays, which has resulted in unfunded cost increases for the trial courts.

Proposed Trailer Bill Language. The proposal includes trailer bill language (included in the appendix) requiring the AOC and CSAC to establish a working group to review information to determine the level of cost changes incurred by the counties and the courts related to fiscal examinations. Based on the review, the working group is required to identify adjustments to be made to county MOEs and report on the adjustments to the State Controller by September 30, 2005.

Staff Comments. The AOC notes that individual county MOE payments may shift either up or down depending on the particular funding arrangement in each county. However, the net result will be a \$5.5 million increase for MOE payments statewide.

CSAC has indicated that it is opposed to this proposal. AOC and CSAC have indicated that they are working on potential resolutions to this issue.

Staff Recommendation. Staff recommends holding this issue open at this time pending on-going discussions between AOC and CSAC on this issue.

Action.

2. Undesignated Fees.

Budget Request. The budget proposes trailer bill language (included in the appendix) to permanently reauthorize the transfer of \$31 million from counties to courts in revenue from undesignated fees.

Two years ago, the Legislature enacted statutory changes to distribute these undesignated fees, with direction that the AOC and the CSAC jointly propose a long-term revenue allocation schedule to take effect on July 1, 2005. The proposed trailer bill language would continue the current distribution of the undesignated fees and would no longer require a long-term revenue

allocation schedule. The language would also put into place penalties for delayed payments from the counties.

Background. Chapter 850, Statutes of 1997 shifted primary fiscal responsibility for support of the trial courts from the counties to the state. Chapter 850 and other recent trial court funding legislation made changes in the distribution and amount of court-related fees. An important part of the financing mechanism for the state's new fiscal responsibility for the trial courts was the requirement that local governments transfer a variety of court-related fees collected by trial courts and local governments to the state's trust fund. However, Chapter 850 did not designate which entity—the state or local governments—would retain a number of court-related fees. Some of these undesignated court fees include fees paid for trial postponement, change of venue, filing for Writ of Execution, and civil assessment fees.

Staff Comments. CSAC has indicated that it is opposed to this proposal. AOC and CSAC have indicated that they are working on potential resolutions to this issue.

Staff Recommendation. Staff Recommends holding this issue open pending further discussions between CSAC and the AOC.

Action

3. Uniform Civil Fees.

In order to address the complexity and lack of uniformity in the existing civil fee structure, the Judicial Council in late 2003 formed a working group of diverse stakeholders to undertake a comprehensive review of the existing civil fees and to make recommendations for developing a uniform civil fee structure. Based on the findings and recommendations of the working group, the court is developing legislation to streamline the existing civil fee structure and achieve uniformity in the level of fees charged by courts and counties statewide. Generally, this proposal would involve collapsing a number of existing fees into a single fee, as well as raising certain fees.

The court security fee which was imposed two years ago and will expire in July 1, 2005, creating a \$16.8 million shortfall in the Trial Court Trust Fund. Revenues from the new fee would be deposited into the Trial Court Trust Fund.

Staff Recommendation. At the time of this analysis, no language has been submitted to the Subcommittee. Staff Recommends holding this issue open at this time.

Action.

4. State Appropriations Limit.

This request proposes \$97.4 million as a baseline adjustment for trial court operational costs, computed on the year-to-year percentage change in the annual State Appropriations Limit (SAL). The amount was computed by multiplying specific trial court operational costs including all expense for court operations, court employee salaries and salary-driven benefits by an estimated growth factor of 4.8 percent. The calculation does not include the costs of compensation for judicial officers, subordinate judicial officers, or funding for the assigned judges program.

The LAO notes that the SAL estimate published elsewhere in the budget is closer to 6 percent, which would result in increased funding for the trial courts of \$24 million. The SAL will be recalculated at the time of the May Revise and the administration will likely update the trial court adjustment at that time.

Staff Comments. The DOF indicates that the Modernization Fund does not include a SAL growth factor for 2005-06, but will be included in the calculation in future years. The local assistance items do include a growth factor except for the Equal Access program.

The AOC indicates that the Judicial Council is working on a SAL allocation methodology. The SAL funding would be allocated according to the following priorities:

- Statewide programs – such as the court interpreter program and the court appointed counsel program)
- Mandatory costs – such as increased retirement costs
- Judicial Council Priorities
- Inflation
- Population Growth
- Productivity

The AOC indicates that a Judicial Council will be releasing a report in the next few weeks that provides a detail of the proposed methodology and a template for how it will work.

Staff Recommendation. Staff recommends holding this issue open at this time pending the updated SAL calculation at the May Revise. The Subcommittee may wish to consider language that requires the AOC to report on how SAL funding has being spent. Staff will continue working with the LAO and the AOC on potential reporting language.

Action.

5. Information Item --Expansion of SAL to the Judiciary Budget.

The Governor's Budget Summary mentions a proposal that would add a growth factor based on the SAL for the state judiciary items starting in fiscal year 2007-08. This growth factor would be similar to the SAL growth factor for the trial courts.

Information Item. Currently, there is no language before the Subcommittee regarding this issue.

6. Information Item – Transfer of Trial Court Facilities to the State.

Pursuant to the Trial Court Facilities Act of 2002, the process for the transition of court facilities from the county to the state has started in the current year. The AOC estimated that in the current year between 100 and 140 facilities would be transferred to the state. The Legislative Analyst's Office (LAO) has estimated that the cost of renovating existing buildings and constructing new ones would be between \$4.9 billion and \$5.5 billion over the next ten years. It is intended that the funding for the transition will come from fees that are deposited into the State Court Facilities Construction Fund. The budget proposes repayment of \$72.7 million from the General Fund to the State Court Facilities Construction Fund to repay a loan from the 2003-04 fiscal year. In the current year, the Construction Fund has loaned the General Fund \$30 million.

The January budget proposal does not include any new expenditure proposals related to trial court facilities.

The Subcommittee may wish to have the Judicial Council report on the progress of transferring facilities in the current year.

0820 Department of Justice

It is the responsibility of the Attorney General to uniformly and adequately enforce the laws of the State of California. The Attorney General fulfills this mandate through the programs under his control at the Department of Justice (DOJ). There are five primary divisions within the department, including (1) Civil Law, (2) Criminal Law, (3) Public Rights, (4) Law Enforcement, and (5) Criminal Justice Information Services. In addition, there are the Directorate and Administration Divisions, Executive Programs, the Division of Gambling Control, and, as of January 1, 2000, the Firearms Division.

Budget Overview. The budget proposes \$687.7 million for the DOJ, which is an increase of \$10.9 million, or 1.6 percent above current year expenditures. General Fund support of \$322.5 million represents an increase by \$3.6 million, or 1.1 percent from the estimated current year budget.

DOJ Program Requirements					
Program	<i>(dollars in thousands)</i>			Percent	
	2003-04	2004-05	2005-06	Change	Change
Directorate and Administration	\$22,587	\$25,810	\$27,418	\$1,608	6.2%
Distributed Directorate and Administration	-22,587	-25,810	-27,418	-1,608	6.2%
Legal Support and Technology	43,188	46,082	47,723	1,641	3.6%
Distributed Legal Support and Technology	-43,188	-46,082	-47,723	-1,641	3.6%
Executive Programs	12,669	14,136	14,160	24	0.2%
Civil Law	104,842	120,691	116,247	-4,444	-3.7%
Criminal Law	107,487	113,810	114,506	696	0.6%
Public Rights	56,864	63,769	69,437	5,668	8.9%
Law Enforcement	154,083	172,551	174,367	1,816	1.1%
California Justice Information Services	143,589	166,358	170,960	4,602	2.8%
Gambling	13,382	15,233	15,307	74	0.5%
Firearms	11,103	12,030	12,293	263	2.2%
State-Mandated Local Programs	1	1	420	419	n/a
Unallocated Reduction	0	-1800		1,800	-100.0%
Total	\$604,020	\$676,779	\$687,697	\$10,918	1.6%
Authorized Positions	5,032.1	4,984.2	5,049.4	65.2	1.3%

DOJ Budget Adjustments Proposed for Consent / Vote-Only

Issue Title	Positions	Dollars
1. Violent Crime Information Network Renovation. The proposal requests 4 positions and \$1.8 million to begin renovation of the Violent Crime Information Network (VCIN) and to provide the necessary level of technical and program support staff. The VCIN is the central repository of the State's sex offender registration data. New mandates and repeated system modifications have strained the system's capabilities. The Renovation Project is estimated to be completed in four years, with an estimated cost of \$7.4 million. (General Fund)	4.0	\$1,820,000
2. Corporate Responsibility Unit. The proposal requests 12.5 positions and \$4.7 million for the Corporate Responsibility Unit. The unit would be self-funded through the Public Rights Division Law Enforcement Fund. Included in this request is an additional \$3 million per year for external consultant support and \$50,000 for out-of-state travel authority above the standard compliment. The DOJ indicates that based on the past successful performance of the Attorney General's Energy Task Force, Consumer Law, and Antitrust Litigation Sections, the resources requested in this proposal will self-fund ongoing activities. The proposal includes trailer bill language clarifying that no General Fund augmentations shall be used for this purpose and budget bill language stating that new positions can not be hired if there are insufficient funds in the Public Rights Law Enforcement Fund. Proposed trailer bill language is attached as an appendix. (Special Funds)	12.5	\$4,681,000
3. Megan's Law Data Improvement. The proposal requests four positions and \$428,000 to be assigned to the Violent Crime Information Center to meet increased workload related to California's Megan's Law program. (Special Funds)	4.0	\$428,000
4. Criminal Justice Information System Redesign. The proposal requests \$4 million and eight two-year limited-term positions in order to begin replacement of five automated database systems. The five databases provide statewide support for Wanted Persons, Stolen Vehicles, Supervised Release File, Firearms Eligibility Applicants, and Domestic Violence Restraining Orders. The proposal would include funding of \$4.5 million in 2006-07, \$2.8 million in 2007-08, and ongoing support of \$373,000 in 2008-09 for ongoing maintenance costs. (General Fund)	8.0	\$3,953,000
5. Recycling Fraud Enforcement. This proposal requests \$466,000 in reimbursement authority and 3.3 positions to prosecute recycling fraud on behalf of the Department of Conservation (DOC). The DOC has submitted a companion BCP to request resources from the California Beverage Recycling Fund for this purpose.	3.3	\$466,000
6. Seller of Travel Unit-Audit Workload. This proposal requests \$213,000 and 2 auditor positions to increase compliance and financial audits of Sellers of Travel. This activity is solely funded from fees that go to the Travel Seller Fund. The DOJ reports that inadequate audit support has limited the Seller of Travel Unit's investigations to only those companies with the largest aggregate damages to consumer. The Unit currently has one auditor position. (Special Funds)	2.0	\$213,000
7. Federal Fund Authority for Grants and MOU's. The proposal requests an increase of \$3.7 million in federal funds expenditure authority for grants and MOU's that DOJ anticipates in the budget year. In the current year, DOJ is increasing authority by \$9 million. (Federal Funds)	0	\$3,682,000
8. Legal Services Revolving Fund. This request proposes trailer bill language to establish the Legal Services Revolving Fund, to improve the management of the Public Rights and Civil Law Divisions. Reimbursements provided to the DOJ by client agencies are proposed to be deposited into the new fund. This fund would be modeled on Revolving funds used by the Department of General Services for performing duties for client agencies. Proposed trailer bill language is attached as an appendix.	0	0
9. Laboratory Facilities Operations and Utilities. This proposal requests \$132,000 in 2005-06 and \$222,000 in 2006-07 to address facilities operations and maintenance	0	\$132,000

and utilities costs for the forensic lab in Eureka and the newly constructed lab in Santa Barbara. (General Fund).		
10. Underwriters Litigation. This request proposes a one-time augmentation of \$1.5 million for external consultants related to the Lloyd's of London (Stringfellow) litigation to continue to fund specialist counsel with expertise in insurance coverage litigation. The budget contains language requiring that funds not expended revert to the General Fund at the end of the year. In the current year, the DOJ requested \$3.7 million for litigation costs due to an anticipated trial date in March 2005. (General Fund)	0	\$1,452,000
11. Armed Prohibited Persons Transfer. This request proposes to redirect 3 positions and \$306,000 (General Fund) to move IT support resources from the Firearms Division into the Division on Criminal Justice Information Services.	0	0
12. Criminal Law Increased Litigation Workload. This request proposes \$1.1 million General Fund and 7.7 positions to handle increased litigation workload. (General Fund)	7.7	\$1,130,000
13. National Criminal History Improvement Program. This request proposes a one-time increase in federal funds of \$1.9 million and 18 positions for Year 10 of the National Criminal History Improvement Program (NCHIP). (Federal Funds)	18.0	\$1,922,000
14. Bureau of Medi-Cal Fraud and Elder Abuse Increase. This request proposes an increase of \$570,000 in federal trust fund expenditure authority. The augmentation is requested to provide additional spending authority for the investigation and prosecution of Medi-Cal Fraud and Elder Abuse cases. (Federal Funds)	0	\$570,000
15. Representation of Franchise Tax Board – Abusive Tax Shelters. This request proposes an increase of \$721,000 General Fund and 4.9 positions related to representation of the Franchise Tax Board. (General Fund)	4.9	\$721,000
16. Sexually Violent Predator Confinement and Release Workload. This request proposes \$1.2 million General Fund and 8.2 positions to defend individual and class-action suits (1) challenging the conditions of confinement for sexually violent predators (SVPs), and (2) involving the release of SVPs at the conclusion of their hospital treatment. The DOJ requested \$600,000 and 4 positions for half year funding in the current year. (General Fund)	8.2	\$1,202,000
17. Intel Team. This request proposes a transfer of \$442,000 (Indian Gaming Special Distribution Fund) and 4 positions from the Division of Law Enforcement to the Division of Gambling Control. Transferring the Intel Team will enable the Division of Gambling Control to better manage intelligence activities, enhance communication, and consolidate DOJ's tribal regulatory program. (Special Funds)	4	\$442,000
18. Energy Litigation. This baseline adjustment proposes a continuation of the Attorney General's Energy Task Force with \$10.7 million from the Ratepayer Relief Fund in the budget year and \$6.1 million from the Ratepayer Relief Fund in 2006-07.	42.6	\$10,700,000
19. Tribal Gaming Employee Suitability Investigations. This request proposes \$270,000 from the Indian Gaming Special Distribution Fund to pay for the costs of running fingerprint checks, credit reports, public records inquiries, and law enforcement inquiries for Tribal Key Employee applications. (Special Fund).	0	\$270,000
20. Santa Rosa Replacement Lab. This request proposes \$8.6 million from the lease revenue bonds to continue with the construction phase of the Santa Rosa Replacement Lab. (Lease Revenue Bonds)	0	\$8,594,000

Staff Recommendation. No issues have been raised on these budget adjustments. Staff recommends approval of the proposed consent / vote-only adjustments.

Action.

DOJ Discussion Issues

1. Proposition 69 – DNA Initiative.

The proposal requests \$11.2 million from the DNA Identification Fund and 48 positions to implement Proposition 69 which passed on the November 2004 ballot. Proposition 69 makes any person convicted of a felony eligible for inclusion in the Forensic DNA Identification Data Bank and the California Palm Print System. In the current year, the budget assumes \$11 million from the DNA Identification Fund, including a \$7 million loan from the General Fund.

Staff Comments. The funding level provided in the proposal anticipates that 65,000 samples will be processed in the current year and 135,000 samples in the budget year. To the extent that samples are received in excess of the estimates in the request, General Fund resources will be necessary to analyze the samples. Staff notes that CDC anticipates collecting DNA samples from the bulk of its inmate population this April. The amount of samples forwarded to the DOJ from this source alone is likely to be over 80,000 (not including parolees and other samples that CDC and CYA are forwarding to the DOJ).

Staff Recommendation. DOJ and DOF have indicated they are reviewing workload for this program, and will be submitting a revision for this proposal. The Subcommittee may wish to get an update on the workload already received and anticipated workload in the current year and the budget year. Staff recommends holding this issue open pending a revised proposal.

Action

2. Hazardous Material Endorsements.

This proposal requests \$3.8 million from the Fingerprint Fees Account to assist the DMV's implementation of Chapter 801, Statutes of 2004 (AB 2040). The USA PATRIOT Act mandates the Federal Transportation Security Administration's regulation of individuals transporting hazardous materials. The endorsement process includes a federal level criminal offender record information background investigation. The DMV will use a live-scan device to electronically capture fingerprint images, which DOJ will transmit to the FBI.

Staff Recommendation. Staff notes that the administration has indicated that it will be proposing a Spring Finance Letter on this issue. Staff recommends holding this issue open pending the Spring Finance Letter.

Action.

3. Proposition 64 Implementation.

This proposal requests a General Fund loan of \$2.3 million and 10.8 positions for the enforcement of unfair competition and consumer protection laws, as required by Proposition 64. This loan will be repaid by January 30, 2007 from the Unfair Competition Special Fund as proposed in attached trailer bill language (included in the appendix). Revenues to repay the loan

and to fund Proposition 64 program activities in the future will accrue in the fund from penalties and violations of the state's unfair competition and consumer protection laws.

Staff Comments. The proposed trailer bill language creates a special fund in which the portion of penalties that are payable to the State General Fund or to the State Treasurer recovered by the Attorney General from an action or settlement pursuant to this Proposition can be deposited to allow for proper accounting of the settlements collected. The proposition failed to set up a special fund for this purpose and had settlements being deposited directly to the General Fund and the State Treasurer allowing for no tracking of the proposition collections. Initially, Legislative Counsel had raised some concerns about the proposed trailer bill language due to the fact that the proposition did not include mention of any such fund. Subsequently, DOF has been advised by its counsel and by the Attorney General that the proposed trailer bill language does not change the Proposition.

Staff Recommendation. Staff recommends approving the trailer bill language (appendix X). Should Legislative Counsel raise concerns about the revised language upon additional review, the issue can be brought back before the Subcommittee at that time.
Action.

4. Bureau of Forensic Services Equipment Replacement.

This proposal requests \$1.5 million General Fund to replace old, outdated or unrepairable equipment used by the Bureau of Forensic Services' Criminalistics Laboratory System. The DOJ indicates that the Laboratory has no ongoing equipment authority.

Staff Recommendation. The proposal would provide \$1.5 million in the DOJ budget on an ongoing basis for equipment purchase. However, staff notes that this level of funding may or may not be sufficient for ongoing equipment purchase for the state's forensic labs. Staff recommends funding this amount on a one-time basis and directing DOJ and DOF to develop an equipment replacement schedule for submission with the budget next year to provide the basis for the ongoing equipment funding.
Action.

5. Reduction for the Spousal Abuser Prosecution Program.

The budget proposes to reduce the Spousal Abuser Prosecution (SAP) program by \$283,000. The SAP program funds local district attorney offices to provide vertical prosecution services for spousal abuse cases. The program is currently funded at \$3 million and provides grants to district attorneys in 47 counties. This is the DOJ's only local assistance program. The reduction represents a nine percent reduction for the program. No other DOJ programs are targeted for such a reduction. In 2003-04 the Legislature rejected a proposal to reduce funding for SAP.

Staff Recommendation. Staff recommends restoring the funding for this program (\$283,000).
Action.

6. Mandates.

A. Custody of Minors/Child Abduction and Recovery Mandate (Ch. 1399, Stats. 1976). The budget proposes to suspend the Custody of Minors/Child Abduction and Recovery mandate. This mandate has been deferred in 2002-03, 2003-04, and 2004-05. The DOF reports that the cost of this mandate is approximately \$13.6 million annually, based on claims received by the State Controllers Office (SCO) in 2003-04. Due to the passage of Proposition 1A, mandates can no longer be deferred.

According to the claiming instructions published by the SCO, this mandate requires local law enforcement agencies to actively assist in the resolution of child custody problems and the enforcement of custody decrees. Reimbursable activities are obtaining compliance with court orders and costs for out-of-jurisdiction cases (foster care and transportation costs). No costs for criminal prosecution are covered under this mandate.

DOF Rationale for Suspending the Custody of Minors Mandate. The DOF indicates that the activities reimbursed under this mandate, while important, are local responsibilities and should be prioritized within the resources of the local law enforcement and foster care systems. Further, DOF indicates that the administration conducted a statewide review of mandates during preparation of the 2005-06 Governor's Budget and in general sought to remove the obligation to reimburse for mandates that did not appear to be a state responsibility and that local jurisdictions should perform without state reimbursement. The mandate is only proposed for suspension rather than repeal because of the importance and sensitivity of these activities; it is possible that the State may in the future wish to resume reimbursement when fiscal conditions permit.

B. Stolen Vehicles Mandate (Chapter 337, Statutes of 1990). The budget proposes to fund the stolen vehicles mandate. This mandate requires local law enforcement agencies to update the statewide stolen vehicle database. This mandate was deferred in 2002-03 and suspended in 2003-04 and 2004-05. DOF estimates that an appropriation of \$420,000 is expected to fully fund the mandate for 2005-06 only. The DOF indicates that this mandate provides statewide benefits by ensuring that state and local law enforcement have access to current and accurate data through the statewide stolen vehicle database, and the mandate is relatively inexpensive to fund.

C. Other Mandates Proposed to be Suspended. The budget proposes to suspend the following mandates that have been suspended for at least the last two years:

- Sex Offenders: Disclosure by Law Enforcement Officers (Ch. 908, Stats. 1196, and Ch. 909, Stats. 1996)
- Misdemeanor: Booking and Fingerprinting (Ch. 1105, Stats. 1992)
- Missing Persons Report (Ch. 1486, Stats. 1998). This mandate has been *deferred* since 2000-01. The DOF indicates that the cost of this mandate is not known because of the infrequency of claims filed by local agencies.

Staff Recommendation. Staff recommends approval of the mandates as budgeted.

Action

7. Megan's Law on the Internet.

The proposal requests \$176,000 from the Sexual Predator Public Information Account to fund to provide funding and staffing for DOJ to maintain an internet web site that provides the public with information on registered sex offenders as mandated by Chapter 745, Statutes of 2004 (AB 488). (Special Funds)

The Department of Justice has requested Budget Bill Language to be added to the Sexual Predator Public Information Account (Fund 0256). Penal Code Section 290.4(a)(5)(D) states, "The Department of Justice shall expend no more than six hundred thousand dollars (\$600,000) per year from any moneys appropriated by the Legislature from the account." The restriction has been in effect since 1994.

This augmentation, combined with the Megan's Law Database Improvement proposal (Issue # 3 on the proposed consent/vote-only list) increases the proposed expenditure level from the Sexual Predator Public Information Account in 2005-06 to \$670,000. Therefore, BBL is necessary to allow DOJ to spend funds in excess of the statutory limit of \$600,000. Below is proposed BBL to be added to Item 0820-001-0256.

Provision 1. Notwithstanding Section 290.4(a)(5)(D) of the Penal Code, the Department of Justice may expend the amount appropriated in this item.

Staff Recommendation. Staff recommends approval of the proposal and approval of the budget bill language noted above. The DOF indicates that if the issue arises next year, DOF will propose trailer bill language at that time.

Action.

0855 California Gambling Control Commission

The California Gambling Control Commission (GCC) was established by Chapter 867, Statutes of 1997 (SB 8, Lockyer). The five-member commission is appointed by the Governor subject to Senate confirmation. The GCC is responsible for setting policy, issuing licenses, administering, adjudicating, and regulating all matters related to controlled gambling in California.

In addition, pursuant to the Tribal Gaming Compacts, the GCC is responsible for (1) administering the gaming license draw process, (2) accounting (3) making findings of suitability regarding key employees of tribal gaming operations, and (4) ensuring the allocation of gaming devices among California's tribes does not exceed the allowable number in the compacts. Included with this responsibility is serving as Trustee for the Revenue Sharing Trust Fund and Administrator of the Special Distribution Fund.

California Gambling Control Commission – Source of Funding					
Fund	<i>Expenditures (dollars in thousands)</i>				<i>Percent Change</i>
	2003-04	2004-05	2005-06	Change	
Indian Gaming Revenue Sharing Trust Fund	\$83,229	\$98,091	\$96,500	-\$1,591	-1.6%
Indian Gaming Special Distribution Fund	27,043	39,284	40,885	1,601	4.1%
Gambling Control Fund	1,636	2,308	2,311	3	0.1%
Totals, Funds	\$111,908	\$139,683	\$139,696	\$13	0.0%

California Gambling Control Commission – Program Funding					
Fund	<i>Expenditures (dollars in thousands)</i>				<i>Percent Change</i>
	2003-04	2004-05	2005-06	Change	
Gambling Control Commission					
<i>State Operations</i>	\$5,164	\$10,107	\$13,196	3,089	30.6%
<i>Local Assistance</i>	106,744	129,576	126,500	-3,076	-2.4%
Total	\$111,908	\$139,683	\$139,696	\$13	0.0%
Authorized Positions	36.7	67.7	88.7	21.0	31.0%

Budget Request. The budget proposes total expenditures of \$139.7 million from special funds, which is an increase of \$13,000 from estimated current year expenditures. Of this amount, \$13.2 million (\$10.9 million Special Distribution Fund and \$2.3 million Gambling Control Fund) is for state operations and \$126.5 million is for local assistance. Of the local assistance, \$96.5 million is for distribution from the Revenue Sharing Trust Fund to non-gaming tribes as specified in the compacts and \$30 million is for distribution to locals to mitigate the effects of tribal gaming operations.

ISSUES

1. Compact Workload Augmentation. The administration proposes to increase the commission's budget by \$4.8 million and 46 two-year, limited-term positions, which would result in a doubling of its current staff. Specifically, the commission requests:

- 15 auditors (which would result in a tripling of their current auditing staff) to audit financial records of the tribes to ensure that appropriate levels of payments are being remitted to the state.
- 13 state gaming testing lab and field-testing staff to test slot machines and gaming software to ensure that they are operating to acceptable standards.
- Nine licensing and investigative staff to review licenses for key employees and vendors associated with tribal gambling and to interface with law enforcement.
- 7.5 administrative staff to respond to media and provide administrative support.

The administration stated its intent to seek a supplemental appropriation to start these activities in the current year. The initial current-year request was not approved by the Joint Legislative Budget Committee. The administration indicates that it will be submitting a revised request shortly.

The LAO raised several concerns with the administration's proposal. The LAO's analysis raised the following issues:

- The Proposal Is Not Clear What Problems Being Addressed, Provides Limited Justification, and Funds some Workload from the 1999 Compacts.
- The Workload Assumptions Are Unclear.
- Gaming Testing Lab Proposal Is Not Required.
- Poor Output From Existing Audit Staff.
- Duplicative Activities Between the DOJ and the Commission.

Analyst's Recommendation. The LAO recommends that the Legislature not approve the administration's current request and that instead, the administration resubmit a request that includes additional information on the workload that is being addressed, provides justification for a state gaming testing lab, and reflects a strategy that considers coordination between DOJ and the Commission.

Staff Recommendation. The GCC and DOF have indicated that a revised proposal will be submitted this Spring and that the revised proposal will represent a significant reduction from the one included in the budget. Staff recommends holding this issue open pending the revised proposal.

Action.

2. Status of the Special Distribution Fund

Pursuant to the compacts, the monies in the Special Distribution Fund (SDF) are subject to legislative appropriation for the following statewide purposes:

- Reimbursement for state regulatory costs associated with implementation of the compacts.
- Payment of shortfalls that may occur in the Revenue Sharing Trust Fund.
- Grants for gambling addiction programs.
- Grants to state and local agencies affected by tribal government gaming.
- Any other purpose specified by the Legislature.

The budget currently assumes the following expenditures:

- \$20.7 million from the SDF for the state regulatory costs at DOJ and the GCC.
- Transfer of \$50 million to the Revenue Sharing Trust Fund
- \$3 million for gambling addiction programs.
- \$30 million for local mitigation of gaming.

The fund condition statement for the Special Distribution Fund currently assumes that the reserve at the end of the budget year will be \$88.7 million.

Chapter 210, Statutes of 2003 (AB 673) requires the CGCC to report to the Legislature the amount of funding from the SDF necessary to make up the difference between the \$1.1 million maximum and the actual amount paid to each eligible tribe from the Revenue Share Trust Fund.

Chapter 858, Statutes of 2003 (SB 621) requires the Department of Finance, in consultation with the CGCC, to calculate the total revenue in the SDF that will be available for local government agencies impacted by tribal gaming. The information is to be included in the May Revision, along with an update of the amount from the SDF necessary to backfill the Revenue Sharing Trust Fund.

Staff Recommendation. Staff recommends holding this issue open pending additional information on the status of the Special Distribution Fund at the May Revise.

Action.

8940 Military Department

The Military Department is responsible for the command and management of the California Army, Air National Guard, and four other related programs.

The Governor proposes \$101.4 million (\$33.2 million from the General Fund, \$59.3 million from federal funds, and \$8.5 million in reimbursements) in total expenditures for the Military Department, a decrease of \$3.4 million, or 3.2 percent, from the current fiscal-year. Additional federal funding of \$571.3 million supports the Army National Guard, Air National Guard, and Office of the Adjutant General, but those funds are not deposited in the State Treasury. The Military Support to Civil Authority Program is showing significant reductions in the current year and in the budget year. The reason for these reductions is that funding for federal fiscal year 2005 for homeland security funds have not yet been allocated in the budget.

Military Department – Program Requirements					
Program	<i>Expenditures (dollars in thousands)</i>				<i>Percent</i>
	2003-04	2004-05	2005-06	Change	Change
Army National Guard	\$54,197	\$57,066	\$58,107	\$1,041	1.8%
Air National Guard	17,973	18,654	18,889	235	1.3%
Office of the Adjutant General - Administration	8,541	8,970	9,476	506	5.6%
Distributed Administration	-8,541	-8,970	-9,036	-66	0.7%
Military Support to Civil Authority	17,633	13,435	7,444	-5,991	-44.6%
Military Retirement	3,092	3,190	3,190	0	0.0%
California Cadet Corps	697	423	434	11	2.6%
California State Military Reserve	316	348	352	4	1.1%
California National Guard Youth Programs	10,340	11,662	13,035	1,373	11.8%
Unallocated Reduction			-494	-494	n/a
Totals, Programs	\$104,248	\$104,778	\$101,397	-\$3,381	-3.2%
Authorized Positions	736.2	660.0	677.3	16.3	2.5%

Military Department Issues Proposed for Consent / Vote-Only

Issue Title	Positions	Dollars
1. California Military Family Relief Fund. Requests funding to implement Chapter 546, Statutes of 2004 (SB 1162) which establishes the California Military Family Relief Fund. The funds will be allocated for establishment of financial aid grants to members of the California National Guard who have been called to active duty. The Military will establish eligibility criteria for the grants, which can be used only for food, housing, clothing, child care, utilities, medical services, medical prescriptions, insurance, and vehicle payment. The Franchise Tax Board has amended the state tax return for 2004 to include the check off option for this program. (Special Fund)		\$250,000
2. National Guard Surviving Spouses and Children Relief Act of 2004. Requests an appropriation of \$190,000 to implement the California National Guard Surviving Spouses and Children Relief Act, enacted by Chapter 547, Statutes of 2004 (SB 1193). This amount would be available to fund the \$10,000 death benefit payments for eligible beneficiaries of covered members whose deaths occurred from March 1, 2003 to the end of the budget year. An ongoing amount of \$60,000 would provide ongoing funds for benefit payments payable in future years.		\$190,000
3. Homeland Security Grant Program Increase. Requests reimbursement authority of \$2 million and 10 limited term positions to continue the use of homeland security funds for equipment, training, exercises, and infrastructure.	10.0	\$2,000,000

Staff Recommendation. No issues have been raised concerning these proposals. Staff recommends approval of these proposals.

Action.

Military Department Issues for Discussion

1. Funding for the Oakland Military Institute. The budget requests an additional \$1.3 million in General Fund support for the Oakland Military Institute (OMI). The request would reestablish 12 positions that were eliminated in the 2003-04 and 2004-05 budgets.

In 2002-03, OMI had a General Fund budget of \$2.4 million. Budget reductions in 2003-04 and 2004-05 reduced OMI's budget—resulting in a General Fund appropriation of \$1.3 million in 2004-05. Due to these budget reductions, the Military Department reduced its OMI-assigned staff by 12 positions to its current level of 10 positions. Even with these budget reductions, OMI increased its enrollment this year by 100 additional students. In the budget year, OMI plans to include an 11th grade for the first time.

Analyst's Recommendation. The OMI continues to conduct its programs with reduced Military Department personnel. The LAO indicates that if OMI chooses to expand in the budget year, it should do so with resources other than the General Fund. The LAO notes that a denial of additional General Fund dollars for OMI does not preclude OUSD or the City of Oakland from

using existing charter school funds or other sources (including local funds and private donations) to expand the school. Consequently, the LAO recommends that the Legislature reject the proposed augmentation.

Background. The OMI is a joint effort of the Military Department, the City of Oakland, and the Oakland Unified School District (OUSD) for a military charter school for Oakland students in grades 6 to 10. The purpose of the school is to promote the academic achievement of disadvantaged students through a strictly structured and disciplined environment. In addition to the standard state curriculum, students receive instruction in military subjects, such as military customs, physical training, drill, and map reading. Military personnel are responsible for OMI administration, including budgeting, program management, policy development, and coordinating campus security. In addition to these duties, military staff escort students to and from the school, and serve as classroom mentors. The OUSD provides instructional staffing, books, and educational supplies. The City of Oakland provides facilities, furniture, and computers. Currently, OMI has 425 students.

Staff Comments. The Military Department indicates that the estimated Proposition 98 funding for OMI in the budget year is \$6,311 per ADA, similar to funding for other charter schools. This level of funding does not include any funding for special education services which are provided directly through the Oakland Unified School District. Staff notes that fully funding the Military Department's proposal in the budget year would provide an additional \$5,200 per ADA for OMI on top of Proposition 98 funding – for a total of \$11,511 per ADA. The Military Department indicates that the General Fund provided in its budget provides for assistant teachers in the classrooms to teach military customs and military history, and for extra curricular activities such as physical education, drill and ceremonies, leadership, and team development. The Subcommittee may wish to get additional specific information on exactly what activities are funded through these monies, the specific classes and instruction that are offered from these funds, and the teaching credentials of the Military Department staff at OMI.

Staff Recommendation. Staff recommends holding this issue open at this time.

Action

2. Santa Ana Armory. The armory in Santa Ana was built in 1957. It currently houses a rifle company with approximately 100 national guardsmen. It is used as a training site one weekend per month. The remainder of the month it is used primarily for vehicle and equipment storage.

The armory is on a 3.5-acre site between an elementary school and a park. Both the elementary school and the park were developed after the armory was built.

If the armory were moved, the armory would need to be larger and upgraded to current standards. The funding for construction of a new armory would be split between the federal government and the state government. The City of Santa Ana is currently searching for a site for the new armory.

Last year, the Legislature adopted Supplemental Report Language requesting that the Military Department report to the Legislature on the feasibility of relocating the Santa Ana Armory to a new site in Orange County.

Prior to deployment last November, the Military Department reports that in term of the staffing reporting to the armory for weekend drills, the required strength was 200, the assigned strength was 139, and the average drilling strength was only 105. For the Maintenance Shop, there were five positions assigned and 4 positions filled.

The Military Department reports that due to the deployment, the maintenance shop at the armory seldom operates during the week, and is open normally only during weekend training. Further, due to the large amount of the Federal Technician force currently mobilized, remaining maintenance requirements are done based on current available manpower or deferred, and maintenance above the organizational level is conducted at the Combined Maintenance Support Shop (CSMS) in Long Beach.

The Military Department will be getting back to staff with information on how much funding is allotted for the Santa Ana Armory, the number of staff working at the armory prior to deployment and since deployment, the current level of staffing actually working in the maintenance shop at the armory, the reasons for why, prior to deployment, the average drilling strength was half the budgeted level, and how this level compared with other armories.

Staff Recommendation. Staff recommends holding this issue open at this time.

Action.

3. Other Major Budget Adjustments

Issue Title	Positions	Dollars
1. Personnel Specialist Position. Requests one position and \$60,000 for a Personnel Specialist position in the Facilities Engineering Directorate. The position will support the Human Resource Branch in administration and coordination of personnel functions (Federal Funds).	1.0	\$60,000
2. Office Assistant Position. Requests one position and \$45,000 for an Office Assistance in the Facilities Engineering Directorate. The position will provide clerical support to multiple branches within the Directorate. (Federal Funds).	1.0	\$45,000
3. Energy Specialist Position. Requests an Energy Specialist position and \$110,000 to enable the Military Department to focus on energy consumption and conservation measures. The position will perform energy tracking, cost and consumption analysis, utility invoice tracking, and management reporting. (Federal Funds).	1.0	\$110,000
4. Stationary Engineer Position. Requests funding to establish a stationary engineer at the newly constructed Fort Irwin Maneuver Area Training and Equipment Site. (Federal Funds).	1.0	\$100,000
Capital Outlay Requests.		
8. Roseville Armory Addition and Renovation. Requests \$5.4 million (\$3.1 million General Fund and \$2.3 million Federal Funds) for preliminary plans, working drawings, and construction for the renovation and addition to the Roseville Armory. .		\$5,366,000
9. Camp San Luis Obispo Organizational Maintenance Shop. Requests funding of \$189,000 (Federal Funds) to fund working drawings for the construction of a new 12,263 gross square foot Organizational Maintenance Shop in Camp San Luis Obispo.		\$189,000
10. Camp San Luis Obispo Consolidated Dining Facility. Requests \$233,000 from the Federal Funds to construct a new dining facility at Camp San Luis Obispo. The project consists of a single story building with a dining room, kitchen, scullery, dishwasher area, pantry/food storage, self service beverage/salad bar and dessert bar. .		\$233,000
11. Kitchen, Latrine, and Lighting Renovations. Requests \$1.3 million (\$858,000 Federal Funds and \$431,000 General Fund) to renovate kitchens and latrines at selected armories to redress fire/life/safety, ADA, and other code deficiencies. Funding is also requested to install security lighting at Mt. Shasta Armory.		\$1,289,000

Staff Recommendation. Staff recommends holding this issues open pending resolution of the issues related to the Santa Ana armory.

Action.